

MAR 30 2011

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JAMES N. HATTEN, CLERK
By: *RBachen* Deputy Clerk

TRACY R. MITCHELL,)	
)	
Plaintiff,)	
)	CIVIL ACTION FILE
v.)	
)	NO. 1:10-cv-3196-TCB-JFK
WASHINGTON MUTUAL,)	
MORTGAGE ELECTRONIC)	
SYSTEMS, INC., SHAPIRO &)	
SWERTFEGER, LLP,)	
FEDERAL NATIONAL)	
MORTGAGE ASSOC., and)	
EVERHOME MORTGAGE CO.)	
)	
Defendants.)	

ORDER

This matter is before the Court on the Report and Recommendation ("R&R") issued by Magistrate Judge Janet F. King [14], which recommends that the Court grant Defendants' motion to dismiss [12] and dismiss Plaintiff's complaint without prejudice. No timely objections to the R&R have been filed.

After conducting a careful and complete review of a magistrate judge's findings and recommendations, a district judge may accept, reject or modify a magistrate judge's R&R. 28 U.S.C. § 636(b)(1)(C); *Williams v. Wainwright*, 681 F.2d 732 (11th Cir. 1982). A district judge "shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made."

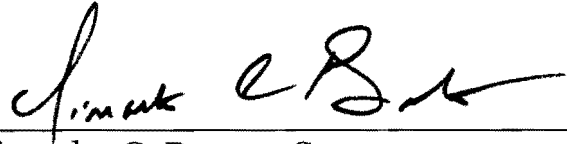
28 U.S.C. § 636(b)(1)(C). The district judge must "give fresh consideration to those issues to which specific objection has been made by a party."

Jeffrey S. v. State Bd. of Educ. of Ga., 896 F.2d 507, 512 (11th Cir. 1990).

Those portions of an R&R to which an objection is not asserted are reviewed for plain error. *United States v. Slay*, 714 F.2d 1093, 1095 (11th Cir. 1983).

The Court has carefully reviewed Judge King's R&R and finds no plain error in her factual or legal conclusions. Accordingly, the Court ADOPTS AS ITS ORDER the R&R [14]. The Court GRANTS Defendants' motion to dismiss [12] and DISMISSES Plaintiff's complaint without prejudice. The CLERK is DIRECTED to close this case.

IT IS SO ORDERED this 29th day of March, 2011.

A handwritten signature in black ink, appearing to read "Timothy C. Batten, Sr.", written over a horizontal line.

Timothy C. Batten, Sr.
United States District Judge